

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

N. S. & T. Inc.,

Plaintiff,

v.

Case No. 2:06cv186

Kin Tsan Cheung,

Judge Michael H. Watson

Defendants.

ORDER

Before the Court is the January 10, 2007 Report and Recommendation (hereinafter "Report") of Magistrate Judge Abel (Doc. 29).

The parties were given proper notice, pursuant to 28 U.S.C. § 636(b)(1)(C), including notice the parties would waive further appeal if they failed to file objections to the Report in a timely manner. See *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). To date, no objections to the Report were filed.

The Report states that on December 13, 2006, Defendant Kin Tsan Cheung was ordered (Doc. 28) to show cause, within 11 days of its date, why default judgment should not be entered against him for his failure to comply with the Court's November 3, 2006 Order (Doc. 18) and for his failure to defend this lawsuit. As Defendant failed to respond to the December 13, 2006 Order, the Report recommends default be entered against Defendant Kin Tsan Cheung for failure to comply with an order of the court and for failure to defend.

Upon *de novo* review of this matter, pursuant to 28 U.S.C. §636, the Court finds no error in the Report. Accordingly, the Report (Doc. 29) is hereby **ADOPTED**. This

matter shall be set for a damages hearing. A notice setting the date and time for the hearing shall follow from the Court.

IT IS SO ORDERED.



Michael H. Watson, Judge
United States District Court